

**Senate File 2170 - Introduced**

SENATE FILE 2170

BY HART

**A BILL FOR**

1 An Act related to customers with delinquent accounts for the  
2 provision of wastewater, sewer system, storm water drainage  
3 system, or sewage treatment services by a city utility or  
4 city enterprise.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 384.84, Code 2014, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 5A. The governing body of a city utility  
4 or city enterprise providing wastewater, sewer system, storm  
5 water drainage, or sewage treatment services may file suit  
6 in the district court in that county against a customer if  
7 the customer's account for such services becomes delinquent  
8 pursuant to subsection 3. The governing body may recover the  
9 costs for providing such services to the customer's property or  
10 premises and reasonable attorney fees actually incurred.

11 Sec. 2. Section 476.20, subsection 1, Code 2014, is amended  
12 to read as follows:

13 1. a. A utility shall not, except in cases of emergency,  
14 discontinue, reduce, or impair service to a community, or  
15 a part of a community, except for nonpayment of account or  
16 violation of rules and regulations, unless and until permission  
17 to do so is obtained from the board.

18 b. (1) A public utility described in section 476.1,  
19 subsection 3, paragraph "c", may enter into an agreement with  
20 the governing body of a city utility, combined city utility,  
21 city enterprise, or combined city enterprise to discontinue  
22 water service to a property or premises if an account owed the  
23 city utility, city enterprise, or combined city utility or city  
24 enterprise for wastewater service or services of sewer systems,  
25 storm water drainage systems, or sewage treatment provided  
26 to that customer's property or premises becomes delinquent  
27 pursuant to section 384.84, subsection 3.

28 (2) A public utility that has entered into an agreement  
29 under this paragraph shall not be liable for damages related  
30 to the discontinuance of water service under this paragraph.  
31 The customer shall be responsible for all costs associated with  
32 discontinuing and reestablishing water service disconnected  
33 pursuant to this paragraph.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1           the explanation's substance by the members of the general assembly.

2       This bill relates to delinquent city utility or city  
3 enterprise accounts for wastewater, sewer system, storm water  
4 drainage system, or sewage treatment services.

5       The bill allows a public utility providing water service  
6 to a property or premises to enter into an agreement with  
7 the governing body of a city utility, combined city utility,  
8 city enterprise, or combined city enterprise to discontinue  
9 water service to that property or premises if an account  
10 for wastewater, sewer system, storm water drainage system,  
11 or sewage treatment service for that customer's property or  
12 premises becomes delinquent. The bill further states that  
13 the public utility shall not be liable for damages related to  
14 discontinuance of water service under these circumstances and  
15 that the customer is responsible for all costs associated with  
16 discontinuance and reestablishing water service.

17       The bill also provides that the governing body of a city  
18 utility or city enterprise providing wastewater, sewer system,  
19 storm water drainage, or sewage treatment services may file  
20 suit in the district court in that county against a customer  
21 if the customer's account for such services becomes delinquent  
22 and may recover the costs for providing such services to the  
23 customer's property or premises as well as reasonable attorney  
24 fees.